IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

PUBLIC INTEREST LITIGATION NO.7 OF 2005

Pune River Forum : Petitioners

V/s.

Pune Municipal Corporation & Ors. : Respondents

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Mr. S. A. Bhagwat for the petitioners.
Mr. R.G. Ketkar for respondent Nos.1 & 2.
Mr.P. M. Patil, Assistant Government Pleader for respondents Nos.3 & 4.
Mr. Abhyankar for respondent No.5.

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CORAM : DALVEER BHANDARI, C.J. &
S.A. BOBDE, J.

DATE : MARCH 16, 2005.

P.C.:

1. This Public Interest Litigation has been filed by Pune River Forum with the prayer that the respondents - Pune Municipal Corporation; City Engineer; State of Maharashtra; and the Secretary, Department of Irrigation - be directed to cancel the sanction accorded to building development plans submitted by respondent No.5, Dinkar Hari Datar. It is also prayed that the respondents be directed to remove unauthorised, illegal dumpage of soil and debris in low lying

area in `Green Belt' portion from the river-bed in the property S. No.119/3, Parvati, Pune.

2. Mr.Abhyankar, learned counsel for respondent No.5, submits that Civil Suit No.329 of 2004 has been filed in the City Civil Court, Pune, against the Municipal Corporation and respondent No.5, Dinkar Hari Datar, praying for relief of a declaration and permanent injunction. We have perused the plaint filed in the City Civil Court, Pune. The prayers in the suit are almost identical. In view of the pendency of the suit, we do not deem it appropriate to pass any further orders in this PIL. This Public Interest Litigation being devoid of any merit is, accordingly, dismissed.

Sd/-

CHIEF JUSTICE

Sd/-

S.A. BOBDE, J.